

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD E. WILMSHURST,

Plaintiff,

No. CIV S-04-0988 DFL KJM PS

vs.

BILL LOCKYER, Attorney General, et al.,

Defendants.

ORDER

Defendants' motion to dismiss is pending before the court. Plaintiff has requested an opportunity to file supplemental briefing.

Accordingly, IT IS HEREBY ORDERED that no later than July 15, 2005, plaintiff and defendants each may file a supplemental brief addressing the application of 26 U.S.C. § 5848 to the pending motion. The matter thereafter will stand submitted.

DATED: July 6, 2005.


UNITED STATES MAGISTRATE JUDGE